

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Eileen Tozer

Application No.: 10/624,909

Filed: July 21, 2003

Art Unit: 1637

For: Fluorescent Proteins, Nucleic Acids Encoding  
Them, and Methods for Making and Using Them

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Examiner: Angela Marie Bertagne

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE AND AMENDMENT AFTER FINAL**

Dear Sir:

This is in response to the final Office Action (“the OA”) mailed on August 18, 2009. A response to this Office Action was initially due November 18, 2009. Submitted herewith is a petition for a 2-month extension of time, extending the deadline for response to January 18, 2010. Accordingly, since January 18, 2010 fell on a Federal holiday, this Response is timely. Applicants respectfully request entry of this RCE amendment and consideration of the remarks set forth herein.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.

The following documents are enclosed herewith:

- Transmittal
- Petition for Extension of Time
- RCE